

**BOROUGH OF MIDDLESEX  
SPECIAL MEETING MINUTES  
March 18, 2014**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Special Meeting Notice and was forwarded to the Courier News, the Borough Website, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor	Ronald Dobies
Council President:	Sean Kaplan
	Kevin Dotey (absent - out of town)
	Stephen Greco
	Patricia Jenkins
	Robert Schueler
	Michele Tackach

Attorney:	Attorney Aithal
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Mayor Dobies opened the special meeting regarding the Sewer User Fees and discussed the most recent sewer ordinances that have been adopted by Council and how they came about. With a power point presentation the Mayor reviewed the MCUA costs, a review of the classes that were used in comparison to Piscataway's ordinance, the exemptions from user's fees, the credit for the ad valorem tax, the review board, all work done on the infrastructure since 2007 and fees which are based on BOD's, suspended solids and chlorine values.

The Mayor and Council President Kaplan met with the business community last Friday. At this time the governing body is awaiting information which has been requested from Piscataway to check their ratios and see if it is pertinent to the Borough to move forward. .

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**PUBLIC COMMENTS**

Mayor Dobies opened the public portion of the meeting for anyone wishing to speak. The following individuals had comments regarding the sewer ordinance:

John Ellery, 701 Lincoln Boulevard  
Jeanine Colaluca, Boulevard Fuel  
Debbie DeVuyst, 73 Ramsey Road  
John Mrofcheck, 128 Wood Avenue

Jack Mikoloczky, 701 Beechwood Avenue  
Martin Shiloh, 625 Union Avenue  
Michael Lombardi, 551 Bound Brook Road  
Rich Malt, 309 B Street  
Warren Orlando, 221 Beechwood Avenue  
Rod Donovan, 1316 Bound Brook Road  
Former Mayor Bob Sherr, 212 Lucia Street  
Jordan Singer, Automatic Ice Maker Co.

The following items were discussed:

1. The legality of the Sewer Ordinance as only a portion of registered businesses in the Borough were issued a sewer bill (Business Association lists 723 businesses, while only 278 were billed – selective enforcement)
2. Formula to calculate these bills were based on the Piscataway Ordinance, and their budget is 7,000,000 more than Middlesex Borough;
3. Piscataway's billing includes residents, businesses, churches & schools;
4. Request to rescind both the October, 2012 ordinance and the December, 2013 ordinance and revert back to the old calculations that are fair and equitable.
5. Concern that the numbers that are being used for calculations are the estimated numbers and not what was paid
6. A precedent was set when the Borough allowed Summit Hills to pay their sewer bill in increments over a 3 years period
7. Splitting the shortfall in budget among all users, including residents.
8. Request to have everyone pay separately for sewer and garbage charges.
9. Concern of all the taxes and surcharges in the town that businesses are subjected to and recommendation for incentives to be created to have more businesses move into the town.
10. Hostile relationship between the business community and council
11. Ratio for ad valorem tax should be kept up to date –based on assessed valuation
12. Borough not crediting businesses for the amount that they are paying in the ad valorem tax.
13. Request for an explanation for the change in format of the sewer bill
14. Request to put into a capital budget funds to address the needs of our sewer system
15. Status of the flow meters
16. Ordinance attempts to bypass cap to increase revenue that can't be increased in the budget
17. Council members that voted on the ordinance do not have businesses and do not realize the tough times that the small business owner is experiencing.
18. Pot holes on South Avenue
19. The committee process that was used to bill this fee and why it was never corrected.

20. The Collections of the funds for sewer users fees will be put in an account to handle infrastructure of the sewer system – not general funds
21. Who will decide when the sewer line needs to be fixed.

Councilman Schueler made a motion to look into the ordinance to see that all bills are sent to the people that need to be billed. Also look into the ratios and user fees seconded by Councilwoman Jenkins and carried by the following vote of Council: Yes: Kaplan, Jenkins, Schueler and Tachach. No: Greco

Councilman Schueler amended the previous motion that would have the Ordinance go back to a Committee for 30 days and then the Committee would report back to Council and include resolving the administrative aspect seconded by Councilwoman Jenkins and carried by the following vote of Council: Yes: Kaplan, Jenkins, Schueler and Tackach. No: Greco.

Councilman Greco made a motion to rescind the Sewer Tax Ordinance until such time as it is amended. There was not a second to this motion and the motion died.

Councilman Greco made a second motion to rescind the Sewer Tax Ordinance and review it and revert back to the 2010 Ordinance. There was not a second and this motion died.

Seeing that there was no further public comment on this matter, Mayor Dobies closed the Public Hearing on the Sewer User's Fees and appointed Council President Kaplan, Councilman Schueler and Councilman Greco to a Committee to review this ordinance and bring back to Council in 30 days.

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#### ADJOURNMENT

Councilwoman Jenkins made a motion to adjourn the Special Meeting seconded by Councilman Greco and carried by unanimous vote of Council.

Respectfully submitted,

Kathleen Anello, RMC  
Borough Clerk

